



Homeland Security

July 13, 2011

Mr. Jason Smathers
MuckRock
185 Beacon St. #3
Somerville, MA 02143

Re: **DHS/OS/PRIV 11-0810**

Dear Mr. Smathers:

This is the electronic final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), May 10, 2011 and received by this office on May 11, 2011. You are seeking all memos sent from the Chief Privacy Officer to DHS staff working with FOIA requests. You are seeking responsive records created on or after January 20, 2009.

A search of DHS Privacy Office for documents responsive to your request produced a total of 32 pages. Of those pages, I have determined that 30 pages of the records are releasable in their entirety, 2 pages are partially releasable pursuant to Title 5 U.S.C. § 552 (b)(6), FOIA Exemption 6.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

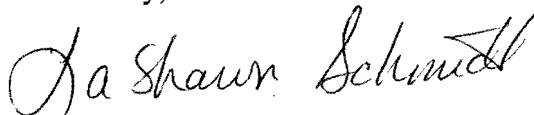
You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/1.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge. 6 CFR § 5.11(d)(4).

If you need to contact our office again about this matter, please refer to **DHS/OS/PRIV 11-0810**. This office can be reached at 1-866-431-0486.

Sincerely,

A handwritten signature in black ink, appearing to read "Lashawn Schmidt". The signature is fluid and cursive, with the first name "Lashawn" and the last name "Schmidt" clearly distinguishable.

Lashawn Schmidt
FOIA Program Specialist

Enclosure(s): As stated, 32 pages